

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

MARY T. BUSCH,

Civil No. 04-4315 (JNE/JGL)

Plaintiff,

v.

O R D E R

**JO ANNE B. BARNHART, Commissioner of
the Social Security Administration,**

Defendant.

APPEARANCES

John C. Peterson, Esq. for Plaintiff

Lonnie F. Bryan, Esq. for Defendant

Based upon the Report and Recommendation by Chief United States Magistrate Judge Jonathan Lebedoff dated August 5, 2005; all the files, records and proceedings herein; and no objections having been filed to that Report and Recommendation;

IT IS HEREBY ORDERED:

- (1) Ms. Busch's Motion for Summary Judgment (Doc. No. 8) is **DENIED**; and
- (2) The Commissioner's Motion for Summary Judgment (Doc. No. 10) is **GRANTED**.

Dated: August 23, 2005

s/ Joan N. Ericksen
JOAN N. ERICKSEN
United States District Court